

## **REMARKS**

### **1. Information Disclosure Statement**

Applicants submit herewith an Information Disclosure Statement under 37 C.F.R. § 1.97(c) citing catalog pages which disclose a plastic NEMA 4X electronics enclosure. This reference is being submitted now simply to put into record the applicants' knowledge of splash safe electronics cabinets made of plastic. The reference being submitted is not believed to impact the patentability of the original claims or any claims amended or added herein. The enclosed prior art statement also authorizes payment of the fee under 37 C.F.R. § 1.17(p) for submission of the IDS at this time to the deposit account stated below.

### **2. Drawings**

Page 2 of the above Office action indicates that the drawings were objected to under 37 C.F.R. § 1.83(a) for not showing every feature claimed, in particular the first and second faces recited in claims 1 and 16. In one embodiment of the invention, the faces recited in the claims can correspond to "inner face 18" and "outer face 20" described in paragraphs 26 and 27 of the specification and depicted in Figure 3. This is believed to satisfy the requirements of the cited rule and is thus believed to avoid the cited drawing objection. Approval of the drawings currently of record is thus respectfully requested.

### **3. Claims**

#### **ALLOWABLE SUBJECT MATTER**

Claims 16-20 have been deemed to be allowable.

Claims 5-12 were objected to as being dependent upon a rejected base claim, but were deemed allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The subject matter of claim 5 is hereby incorporated into amended claim 1 and claim 5 is hereby canceled.

Amended claim 1 is thus now believed to be allowable. Claims 2-4 and 6-15 depend from amended claim 1 and thus are believed to now be allowable as well.

#### REJECTION UNDER 35 U.S.C. § 102

The Examiner rejected claims 1-4 and 13-15 under 35 U.S.C. § 102(b) as being anticipated by Newmark et al. (U.S. Pat. 4,688,146). As noted above, claim 1 (and thus 2-4 and 13-15) have been amended to include the "tool receptor" recited in claim 5, which has been deemed allowable. Accordingly, the cited novelty rejections are believed to be avoided. Allowance of these claims is thus respectfully requested.

#### NEW CLAIM 21

Applicants hereby present new claim 21. Claim 21 recites that, "the break-away section includes a tab having sides at the first and second faces and intersecting the groove to define at least two groove sections separated by the tab, wherein the dimension of the tab defining the distance between the groove sections is small enough to permit shearing of the tab by rotation of the knockout such that the knockout can be separated from the wall section at the break-away section without impacting the knockout." Support for this recitation can be found generally throughout the specification and drawings, and in particular at paragraphs 27 and 29.

In one preferred form, new claim 21 recites a knockout with a tab extending across the break-away groove which has a small enough width dimension to allow it to shear from rotation alone without any axial impact to the knockout. The tab can thus bolster the weakened union of the knockout with the rest of the wall without being so strong that the knockout must be impacted, for example struck by a hammer, to remove the knockout.

None of the cited references teach a twist out type conduit knockout that can be removed without impact using a simple rotational movement. The passage in

the Newmark et al. patent (col. 3, lines 38-65) referenced in the Office action discusses the conventional type of knockout (albeit formed in a plastic enclosure) in which the knockout is impacted. If one read lines 59-65 carefully, particularly where it reads that "one tab [of two] is broken while the other tab remains intact", it is clear that the disclosed method of removal is the conventional impact technique, in which the knockout is struck near one of the tabs to break that tab and then the knockout is rocked back and forth by hand until the other tab fails and breaks off from the surrounding wall. It would not be possible to apply a torsion force to the knockout that acts only on one tab while leaving the other tab intact. In one preferred form of the present invention the knockout has two thin tabs spaced apart 180 degrees and when torque is applied both tabs shear (along with the thinned material at the bottom of the groove).

The present invention provides a conduit "knockout" that is unlike any other conventional knockout in that it is designed to be removed from the surrounding wall, of an electronics cabinet for example, using a rotational or torque producing movement rather than by an impact force. This concept is not found in the prior art, nor is the particular implementations and methods of use described and claimed in the present application. The new twist out knockout is easier for the electrician or other user to remove, needing only a simple turn of the wrist, using a conventional tool, such as a screwdriver or pliers. It also significantly reduces the chance of damaging sensitive electronics inside the cabinet from shock or inadvertent contact with the impact tool.

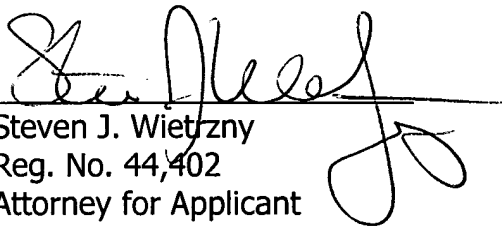
Since neither the twist out knockout concept nor any of its benefits is taught by the prior art, applicants respectfully submit that the claimed invention is patentable, and therefore, request allowance of new claim 21, in addition to claims 1-4 and 6-20 believed to now be allowable as discussed above.

4. Fees

The amendments made herein have not changed the total number of pending claims, which remains at 20 given that new claim 21 has been offset by canceled claim 5. The total number of independent claims has increased from 4 to 5 (claims 1, 16, 19, 20 and 21). Since this response has been timely filed, only the \$86 fee for the additional independent claim and the \$180 IDS fee are believed due. The Commissioner is hereby authorized to charge these and any fees deemed necessary to Deposit Account 17-0055.

Respectfully submitted,  
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